

No. 02-2274

PER CURIAM.

Kathleen and Donald Langdon (the Langdons) appeal the district court's¹ pre-service dismissal of their tort action. After review of the record, we affirm. The district court was without power to hear the action, as the Langdons failed to establish diversity jurisdiction, see Walker v. Norwest Corp., 108 F.3d 158, 161 (8th Cir. 1997) (no defendant may be a citizen of same state as any plaintiff), or federal question jurisdiction, see Hull v. Fallon, 188 F.3d 939, 942 (8th Cir. 1999) (federal question jurisdiction requires that an action arise under federal constitution, laws, or treaties), cert. denied, 528 U.S. 1189 (2000). Further, the district court had no power to direct the state courts to enforce state tort law. Cf. Randolph v. Rodgers, 170 F.3d 850, 859 (8th Cir. 1999) (Eleventh Amendment precludes federal court from ordering state, or state agencies or officials, to conform to state law).

Accordingly, we affirm. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.

¹The Honorable Catherine D. Perry, United States District Judge for the Eastern District of Missouri.